REMARKS/ARGUMENTS

Claims 1-23 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. (US 5,832,000, "Lin" hereinafter) in view of Lundby (US 6,856,604) and Arnold (US 2003/0224729).

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Response:

Claim 1 has been amended to clarify the claimed invention. Claim 1 now recites the features of:

providing a first peer and a second peer;

10   successively transmitting a first predetermined number of more than one identical copies of a data block with a first transmitter of the first peer;

receiving at least two of the first predetermined number of identical copies of the data block with a second receiver of the second peer; [[and]]

combining more than one corrupted received data blocks to form a complete

15   copy of the data block at the second peer;

transmitting a response to the complete instance of the data block with a second transmitter of the second peer; and

not transmitting a negative acknowledgement when receiving corrupted received data block with the second transmitter of the second peer.

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Support for the amendments to claim 1 is found in claim 2, which is now cancelled, as well as in Figure 8 and paragraph 32 of the instant application, and no new matter is added.

25   One feature now added to claim 1 that was not part of the previous versions of claims 1 and 2 is "not transmitting a negative acknowledgement when receiving corrupted received data block with the second transmitter of the second peer". In other words, no NACK is sent by the second peer when the second peer receives a corrupted data block. As shown in Figure 8 of the instant application,

30   block B is sent only when block A is formed successfully and no response is sent

when corrupted block A is received.

This feature of "not transmitting a negative acknowledgement when receiving corrupted received data block with the second transmitter of the second peer" is not disclosed by Lin, Lundby or Arnold. Therefore, the applicant respectfully submits that the currently amended claim 1 is patentable over the cited prior art references.

Claim 13 contains the patentable feature of "wherein the first processor is capable of detecting an expected response of the data block at the first receiver, and accordingly disabling the successive transmission of identical copies of the data block at the first transmitter."

The Examiner has cited Lin as teaching this feature from column 3, line 61 to column 4, line 4 by way of an information dispersal algorithm. However, Lin's information dispersal algorithm is performed in the receiving peer rather than being performed in the first transmitter of the transmitting peer. Thus, Lin does not disclose the feature of Claim 13, "wherein the first processor is capable of detecting an expected response of the data block at the first receiver, and accordingly disabling the successive transmission of identical copies of the data block at the first transmitter." As this feature is also not disclosed by Lundby or Arnold, the applicant respectfully submits that claim 13 is patentable over the cited prior art references.

Claim 19 has been amended in a similar manner to claim 1, and now recites the feature "wherein the second transmitter transmits a response to the transmitting peer when the second processor forms a complete copy of the data block; and the second transmitter does not transmit a negative acknowledgement when the second receiver receives a corrupted data block."

As explained with respect to claim 1 above, the combination of Lin, Lundby and Arnold does not teach this feature, and claim 19 is therefore patentable over the cited prior art references.

5   <u>Claims 3-12 and 27</u> are dependent claims of claim 1. Claim 2 has been cancelled and its features added to independent claim 1. If claim 1 is allowable over Lin and Lundby as argued above, claims 3-12 and 27 shall also be allowable.

10   <u>Claims 14-18</u> are dependent claims of claim 13. If claim 13 is allowable over Lin and Lundby as argued above, claims 14-18 shall also be allowable.

         <u>Claims 20-23, 25, and 26</u> are dependent claims of claim 19. If claim 19 is allowable over Lin and Lundby as argued above, claims 20-23, 25, and 26 shall

15 also be allowable. Reconsideration of all pending claims 1, 3-23, and 25-27 is respectfully requested.

Conclusion

         Thus, all pending claims are submitted to be in condition for allowance with

20 respect to the cited art for at least the reasons presented above. The Examiner is encouraged to telephone the undersigned if there are informalities that can be resolved in a phone conversation, or if the Examiner has any ideas or suggestions for further advancing the prosecution of this case.

25   In view of the claim amendments and the above arguments in favor of patentability, the applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Sincerely yours,

_____/Winston Hsu/_____   Date: _____02/08/2010_____

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10   Note: Please leave a message in my voice mail if you need to talk to me. (The time in
       D.C. is 13 hours behind the Taiwan time, i.e. 9 AM in D.C. = 10 PM in Taiwan.)